



Missouri Department of
Labor and Industrial Relations
DIVISION OF LABOR STANDARDS
www.MoMinimumWage.com

Missouri Minimum Wage **\$6.50**

Effective January 1, 2007

Effective January 1, 2007, Missouri's Minimum Wage rate will increase to \$6.50 per hour. All businesses will be required to pay a minimum of the new \$6.50 per hour rate, except retail and service businesses whose annual gross sales are less than \$500,000. There also are certain classes of employees under the definition of "employee" in Section 290.500(3) to which Missouri's law does not apply. In addition, overtime should be paid at a rate not less than one and one-half times an employees' regular rate for all hours worked over 40 in a workweek.

The Minimum Wage rate will increase or decrease on January 1, 2008 and on January 1 of successive years based on the increase or decrease in the cost of living as measured by the Consumer Price Index (CPI) (see Section 290.502). The Missouri Minimum Wage Law does not supersede more favorable law or interfere with collective bargaining agreement rights.

Tipped employees

Compensation for tipped employees must total at least \$6.50 per hour. If the employee is paid by tips alone, the employer must make up the difference between tips received and \$6.50 per hour. For example, if an employee receives tips averaging \$4.25 per hour, the employer must pay \$2.25 per hour to meet the minimum wage of \$6.50 per hour. If the employee receives tips averaging \$2.50 per hour, the employer must pay \$4.00 per hour to meet the minimum wage of \$6.50 per hour. If the employer is subject to the federal Fair Labor Standards Act, employees must be paid at least \$2.13 per hour in wages, regardless of the amount of tips they receive, to be in compliance with federal law.

Learners and Apprentices

Any individual under 20 years of age may be deemed a learner or apprentice and paid the applicable training wage (not less than 90 cents less than the minimum wage) for a period of three contiguous calendar months. For example, an individual who began working on June 1st can be paid a lesser rate until they have completed their training or until August 30th.

Records to be kept and retention period

Employers should keep a record of the name, address and job description of each employee, the rate of pay, the amount paid each period and the number of hours worked each day and each workweek. These records should be kept on or about the premises for a period not less than 3 years. The records shall be open for inspection by the Division of Labor Standards.

Penalties

Any employer who hinders the Division of Labor Standards' performance of duties in the enforcement of the law by any of the acts listed in Section 290.525 is guilty of a class C misdemeanor.

An employee may bring any legal action necessary to collect wages owed. An employer who pays an employee wages less than what is due under the law shall be liable for the full amount of the wage rate and an additional equal amount as liquidated damages, less any amount actually paid, and for costs and such reasonable attorney fees as may be allowed by the court or jury.

Complaints

A Minimum Wage complaint form can be printed from the website www.MoMinimumWage.com. The form can be sent to the Division using the contact information below. The Division of Labor Standards only will act on complaints filed by an affected employee. Anonymous or third party complaints will not be accepted. Once the investigation is complete, the employee will be informed of the findings.

Please visit www.MoMinimumWage.com to answer many of your questions, find additional resources or print a complaint form. As always, feel free to contact the Division directly for assistance at:

Missouri Division of Labor Standards
P.O. Box 449, Jefferson City, MO 65102
Phone: 573-751-3403 Fax: 573-751-3721
E-mail: MinimumWage@dolir.mo.gov
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